

Ward: Bury West - Church (Historic)

Item 02

Applicant: HDC Properties Ltd

Location: 89 Wood Street, Bury, BL8 2QU

Proposal: Change of use from former hot food takeaway with first floor residential flat (Sui Generis/Class C3) to 3 no. bedroom (maximum 4 no. occupants) house in multiple occupation (HMO) (Class C4); External alterations

Application Ref: 71755/Full

Target Date: 30/05/2025

Recommendation: Approve with Conditions

Description

The application relates to a former hot food takeaway (chip shop which has now closed) and associated 2 bed flat above at the first floor. The property is a 2 storey end terrace with a rear yard area and internally accommodation comprises a basement, shop, store and kitchen at ground floor and lounge 2 bedrooms and bathroom at the first floor.

The property is located within a predominantly residential area which is characterised by similar 2 storey terraced houses and where parking for residents is largely on street.

The application seeks the change of use of the hot food takeaway and first floor residential flat to a 3 no. bedroom (maximum 4 no occupants) House in Multiple Occupation (HMO).

At the ground floor would be one bedroom en-suite (single occupier) and shared facilities of a kitchen and lounge/diner and at the first floor two bedrooms en suite (one single and one double occupancy). The basement would remain unused.

The rear yard would house 4 bins and cycle stand for bikes.

Relevant Planning History

N/a

Publicity

Letters sent to 16 properties on 7/4/25.

Site notice posted 9/4/25.

26 objections with the following issues -

- A busy residential street and already congested with parking on street.
- Parking problems would be exacerbated.
- Dangerous crossing the road with cars blocking visibility. Causes safety issues for children in the area.
- Concern too many HMO's in the area will bring the area down - way too many in Elton with no monitoring
- Increase in crime and antisocial behaviour
- The local infrastructure is not designed to support the increase in parking, pedestrians, waste collection, traffic flow
- Area will become more unsafe
- HMO's of no benefit to local residents
- There is going to be a fatal accident soon from all the cars in the area

- Why has work started when no planning approved yet?
- Environmentally, the development risks increased emissions, pressure on services, and reduced sustainability. This proposal would negatively impact the community, infrastructure, and environment, and should be rejected.
- Concerned that no planning notices have been posted at the site, nor have any leaflets or direct notifications been circulated to nearby residents. This is contrary to the principles of transparency and public engagement that underpin the planning process.
- The "consultation" with residents is hugely lacking with no letters to residents on Wood St through the letter box, only a single A4 letter tied to a lamppost which has now slipped down and folded in half, completely unacceptable.
- More and more local councils are implementing an Article 4 Direction to control the concentration of HMOs.
- Wood St is a quiet, family street and does not need a quick cash HMO.
- HMOs often lead to transient populations with little investment in the community, eroding social cohesion and accelerating neighbourhood decline. Property values are likely to fall, and it will add an increased burden on waste services.
- I appreciate they say its for young professionals but who is going to monitor this?
- Why won't Bury council follow Bolton's lead and withdraw permitted development of HMO's by the introduction of an Article 4 direction, at least this way it any application can be monitored?

Those who have objected have been informed of the Planning Control Committee meeting

Statutory/Non-Statutory Consultations

Adult Care Services - No response received

Traffic Section - No objection subject to a condition for the provision of bin store facilities.

Environmental Health - Pollution Control - No response received.

Greater Manchester Police - designforsecurity - No objection. Recommend Secure by Design measures are implemented.

Waste Management - No response received

Housing - Public Protection - HMO license not required for 4 occupants

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
- No response received.

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-P1	Sustainable Places

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Policies

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

UDP Policy H2/4 - Conversions, has regard to factors including effect on the amenity of neighbouring properties, impact on the general character of the area and existing concentration of flats, amenity of occupants, effect on the street scene of any changes to the external appearance and car parking and servicing requirements.

This is supported by SPD 13 - The Conversion of Buildings to Houses in Multiple Occupation, that seeks to ensure that properties are of a sufficient size to accommodate the proposals and are large enough to offer satisfactory levels of accommodation for future residents. This document also seeks to ensure that HMO's are located in suitable locations. PfE Policy JP-H3 - Type, Size and Design of New Housing seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

Principle

The National Planning Policy Framework (NPPF) sets out the governments objective of significantly boosting the supply of homes in all kinds of size and tenures.

With regard to HMOs, the conversion of houses into flats or bedsits can make an important contribution to the local housing stock and can utilise vacant or underused space more efficiently.

At para 11, the NPPF is clear that decisions should be in favour of sustainable development and at para 61 states that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located in an urban area and one which is characterised by residential dwellings. Like the application site, the majority of the surrounding housing stock are 2 storey terraced types and as such the proposal for a residential use is considered acceptable in this locality.

and would make a contribution to local housing needs in the area. The area is urban in character and within walking distance to local shops and amenities and several bus routes and is considered to be in a sustainable area.

The proposed development would therefore be acceptable in principle and in accordance with Policy H1/2, H2/4 and the principles of sustainable development in the Places for Everyone Joint Development Plan (JP-P1) and the principles of the NPPF.

Use

A dwellinghouse benefits from permitted development rights to function as an HMO for up to and including 6 people and therefore if this property was a dwellinghouse, planning permission would not be required for the change of use to a 4 bed HMO. (Permission is needed as it is currently a sui generis use).

Should an application be made to change the use of the hot food takeaway to a residential dwelling, without pre-determining such an application, it would be difficult to sustain a refusal of such a development, given the location, character, size and position of the property within this residential area.

Once implemented and occupied as a dwelling, permitted development rights would allow the use of the property to function as an HMO for up to 6 people without the need for planning permission or indeed a family of similar or higher numbers, space permitting.

In all the residential use of the property would be seen to be an appropriate use and given the scale of HMO and its similarity to a dwelling, there would be no sustainable reason to resist the use.

Layout

The applicant has revised the original scheme from a 5 person HMO to a 4 person HMO. Internally, the ground floor would provide a bedroom en suite for a single occupant and shared kitchen and separate shared dining/living room.

At the first floor would be a single bedroom en suite and double room en suite.

The basement would remain unused.

The bedroom and shared accommodation would comply with national space standards and the amount of shared space would be acceptable in providing separate kitchen and areas to eat and relax away from bedrooms.

The existing rear yard, similar in size to the other terraced houses in this area would provide 4 bins and a bike store which would adequately serve the number of occupants.

It is considered that 4 occupiers would be akin to an average sized family and would not be an unusually large household for a terraced house.

It is therefore considered that the proposed development would be acceptable in terms of number of occupiers and standard of accommodation and facilities and would comply with H2/4, EN1/2 and SPD13.

Character of the area

Policy H2/4 - Conversions takes into consideration the concentration of conversions for multiple occupation and the impact this can have on the character of an area.

According to the Bury Council register of licensed HMO's, there are no other HMO's on Wood Street or the surrounding connecting streets. Given the fact that the development would not need an HMO license and that the number of occupiers would be similar to a

family sized household and similarly function as a household, it is considered the change of use would not be fundamentally different to how a family house would operate.

It is therefore considered that the proposal would not result in an over concentration of multiple occupied development in the area or affect the character of the area in terms of maintaining a good mix of housing.

As such, the proposed development would comply with Policy H2/4.

Impacts on residential amenity

The property is an end terrace and sits within a residential setting of similar house types.

In terms of alterations, at the rear, a door would be blocked up and window inserted in place of a door opening and there would be no additional windows which would cause issues of overlooking or impacts on privacy of adjacent occupiers.

Comparative to a hot food takeaway, it is more likely the former use would have generated more intensive activity, noise and disturbance as a hot food takeaway business than that for a residential use for 4 occupiers which is considered akin to a family sized unit.

There is no reason or evidence to suggest that the proposed unit would result in antisocial behaviour or that there would be an increase of crime in the area.

It is therefore considered that the proposed development would therefore not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with Policy EN2/4.

Highway issues

There is no specific car parking standard for HMO's in SPD11 Parking Standards in Bury. SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

The property is an end terrace and like the other terraces in the area, does not have dedicated parking. There is on street parking on both sides of Wood Street and the surrounding street which are used by residents to park.

There are parking pressures in the area. However, it is generally recognised that car ownership tends to be lower for those who occupy an HMO compared to other types of residential households.

The site is considered to be in a sustainable area being located close to a Neighbourhood Shopping Centre and retail park at Crostons (approximately 230m to the east) where there are local amenities and shops and there is a bus stop directly opposite and bus stops on Crostons Road with services to Bury Town Centre

The development also proposes a cycle store with provision for each resident.

The property had operated as a fish and chip shop and whilst much of the custom would have been local, there would also have been passing trade and people living that bit further away who would drive.

Para 117 of the NPPF states that applications for development should give priority to pedestrian and cycle movements and facilitate access to high quality public transport. PfE Policy JP-P1 Sustainable Places advocates efficient uses of land and development which is well connected to local facilities and public modes of transport.

The Highway Authority have raised no objection subject to a condition for the provision of the cycle and bin store prior to commencement of the use.

It is therefore considered that given the benefits of contributing towards providing additional housing to residents in the Borough, a maximum of 4 occupants and access to good transport links and local services, it is considered the proposed development would be acceptable and comply with the principles of sustainable development in PfE and the NPPF.

Design for security

The Design for Security Team have been consulted and have made comment that it is advised the development be compliant with secure by design measures which would include sensors on the light fixtures, installation of an intercom system, a secure mail delivery system and secured cycle store.

The advise would be included as an informative to the applicant.

Response to objections

- 13 adjacent residents were notified by letter on 7/4/25 and a site notice posted 9/4/25. This would exceed the statutory publicity requirement.
- Any works which are being carried out in relation to the application would be at the applicant's own risk.
- Property valuation is not a material planning consideration.
- Other issues raised including parking, character of the area and concentration of HMO's have been covered in the above report.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered -

Location plan dated 24-Mar-2025

Existing site plan TDS-24-196-01

Existing floor plans and elevations TDS-25-196-02

Proposed site plan TDS-25-196-03 rev A

Proposed plans TDS-25-196-04 rev A

Proposed elevations TDS-25-196-05

Planning Statement - April 2025 - Digital connectivity and Carbon and energy

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. The basement shall be used as ancillary accommodation only and there shall be no bedroom located in the basement.

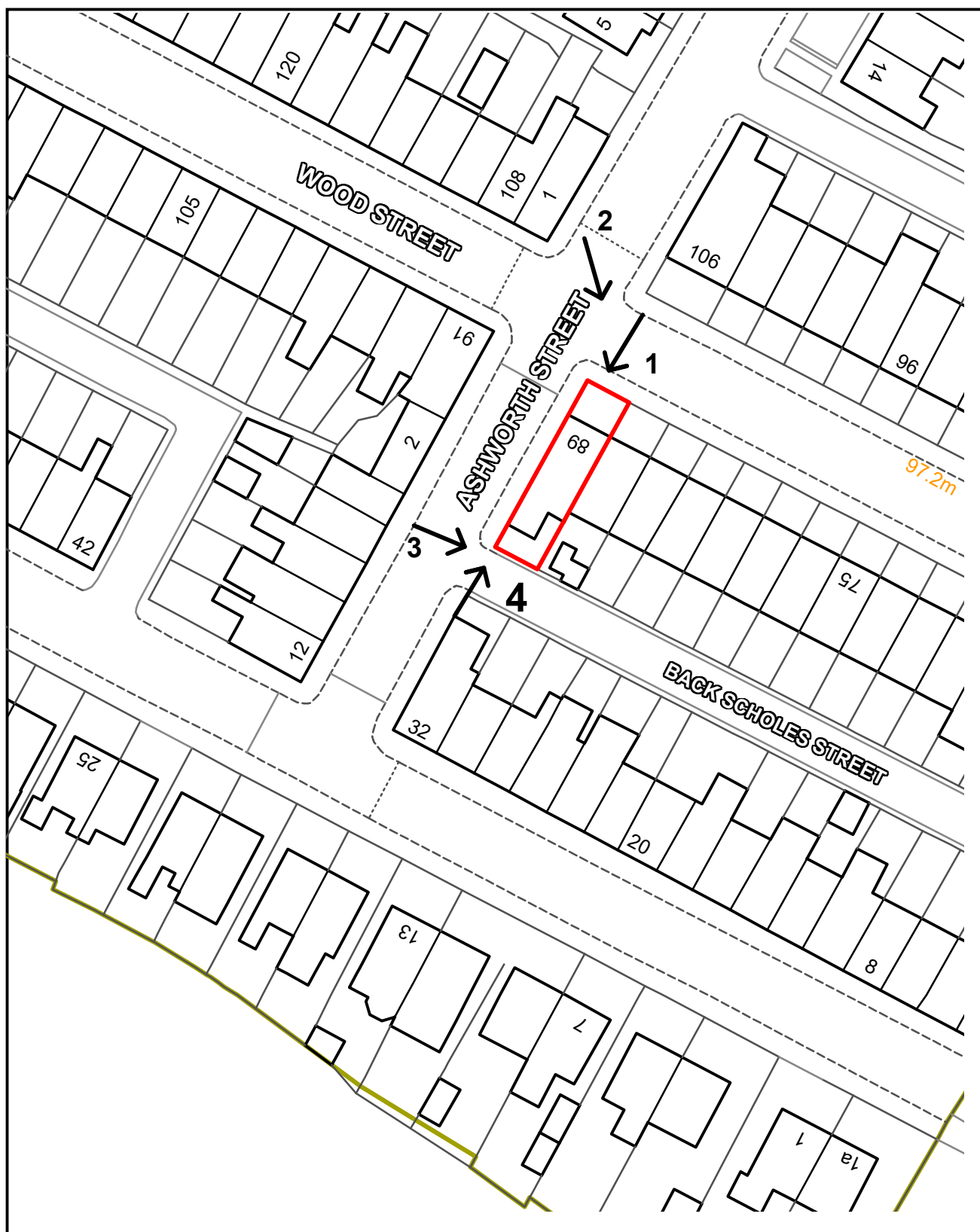
Reason. To ensure the development would not result in sub-standard living and accommodation conditions for existing or future occupiers pursuant to policies H2/4 - Conversions and SPD13.

4. The bin storage facilities indicated on the approved plans shall be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway, in the interests of highway safety pursuant to Policies EN1/2 and JP-C8.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

VIEWPOINTS



PLANNING APPLICATION LOCATION PLAN

LOCATION PLAN: 71755

ADDRESS: 89 WOOD STREET BURY



Bury
Council

Planning, Environmental and Regulatory Services

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71755

Photo 1



Photo 2



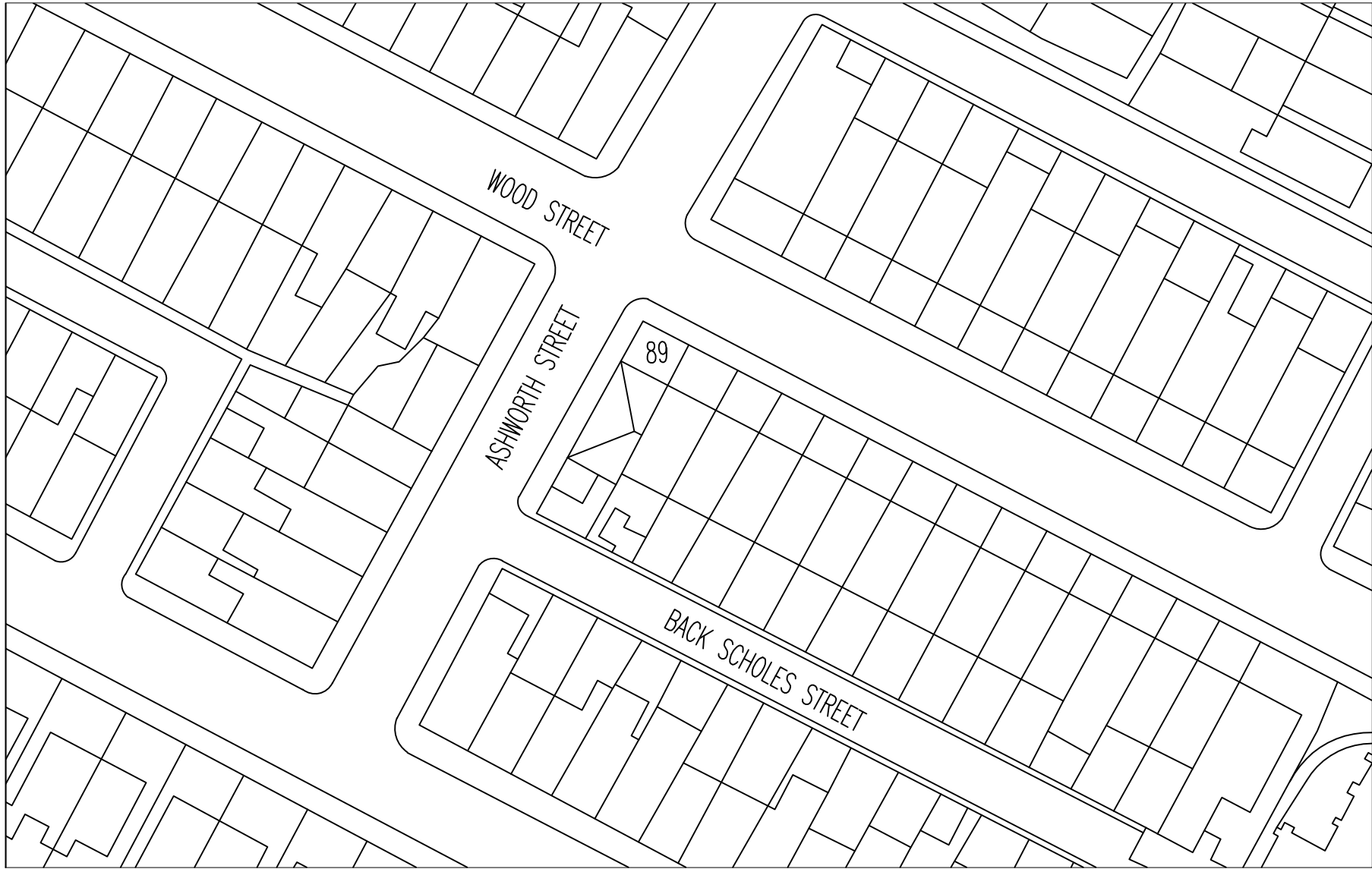
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Photo 3



Photo 4

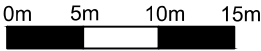




01

Existing Site Plan

Scale 1:500



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Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary. All relevant boundary positions are to be checked prior to proceeding
Building regulation drawings can be used for building estimates, however for an accurate quote builders must attend site as these drawings do not account for all aspects of the building works.



SURVEY ORIENTATED TO MAGNETIC NORTH

Rev	Description	Date	By	Chk
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Construction	<input checked="" type="checkbox"/>	As Built	<input type="checkbox"/>
PLANNING			

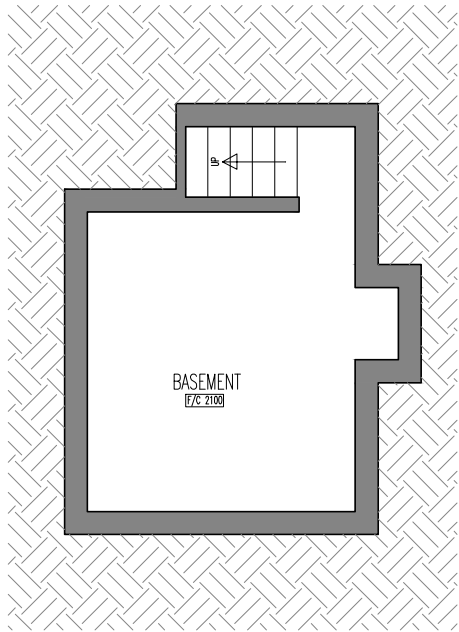
Client
Mark Houghton
89 Wood Street, Bury

Contract
Change of use of ground floor to residential and property split into 3x HMO Apartments.

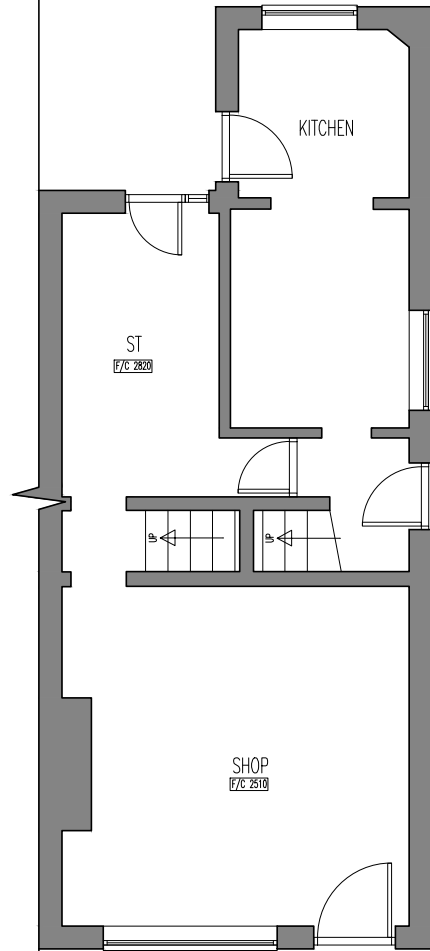
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Drawn	ZTT	Checked	

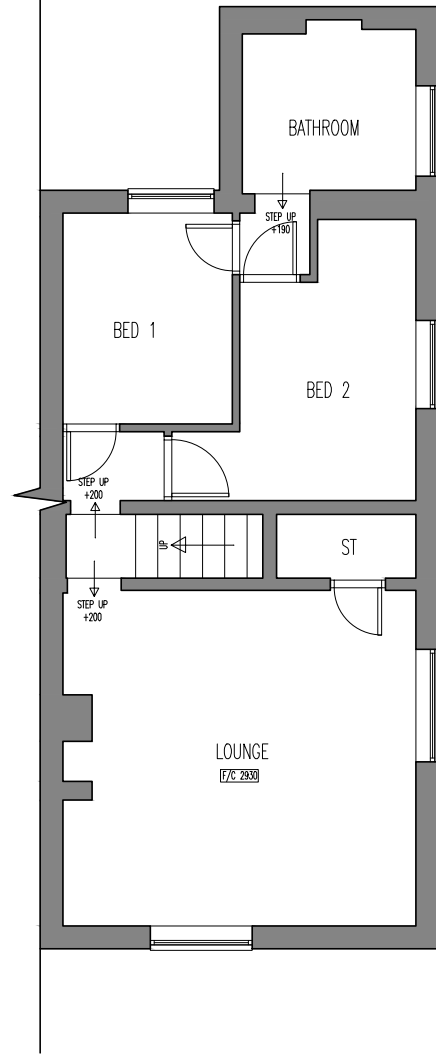




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Scale 1:50



02 Existing Ground Floor Plan
Scale 1:50



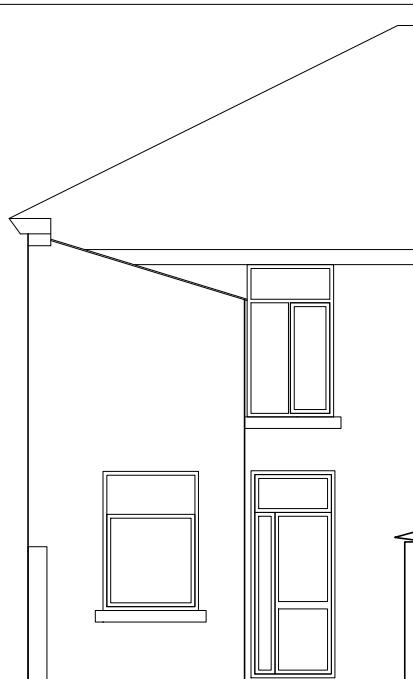
03 Existing First Floor Plan
Scale 1:50



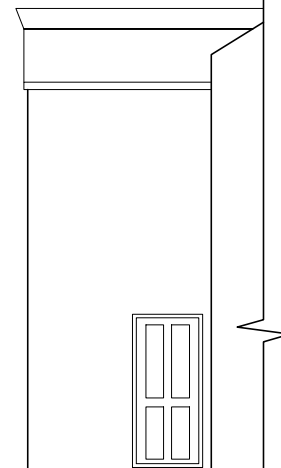
04 Existing Front Elevation
Scale 1:50



05 Existing Side Elevation
Scale 1:50



06 Existing Rear Elevation
Scale 1:50



06 Existing Side Elevation
Scale 1:50

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Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

All relevant boundary positions are to be checked prior to proceeding.

Building regulation drawings can be used for building estimates, however for an accurate quote builders must attend site as these drawings do not account for all aspects of the building works.

Rev	Description	Date	By	Chk

Status	Purpose for Issue
Survey	<input type="checkbox"/> Tender <input type="checkbox"/>
Construction	<input checked="" type="checkbox"/> As Built <input type="checkbox"/>

Client
Mark Houghton
89 Wood Street, Bury

Contract
Change of use of ground floor to residential and property split into 3x HMO Apartments.

Drawing
Existing Plans and Elevations

Drawing No.	TDS-25-196-02	Revision	/
Scales	1:50	Date	Feb '25
Drawn	ZTT	Checked	





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SURVEY ORIENTATED TO MAGNETIC NORTH

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Status	Purpose for Issue			
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Construction	<input checked="" type="checkbox"/>	As Built	<input type="checkbox"/>	

Client
Mark Houghton
89 Wood Street, Bury

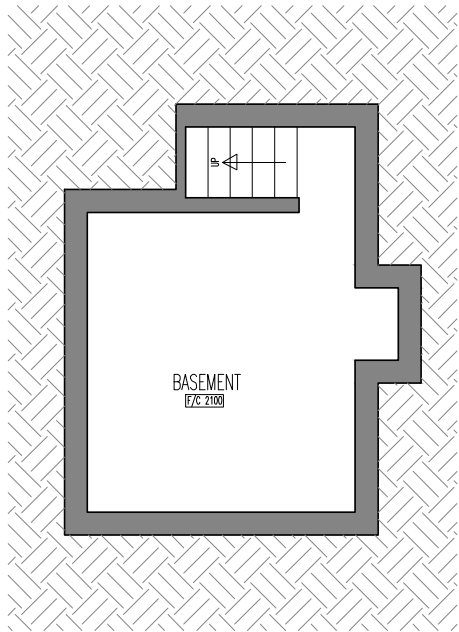
Contract
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Drawing
Proposed Site Plan

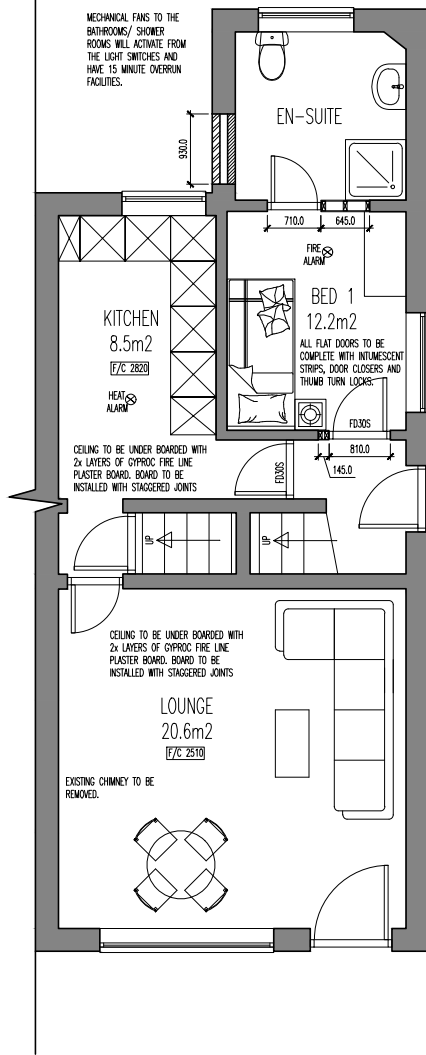
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Drawn	ZTT	Checked	



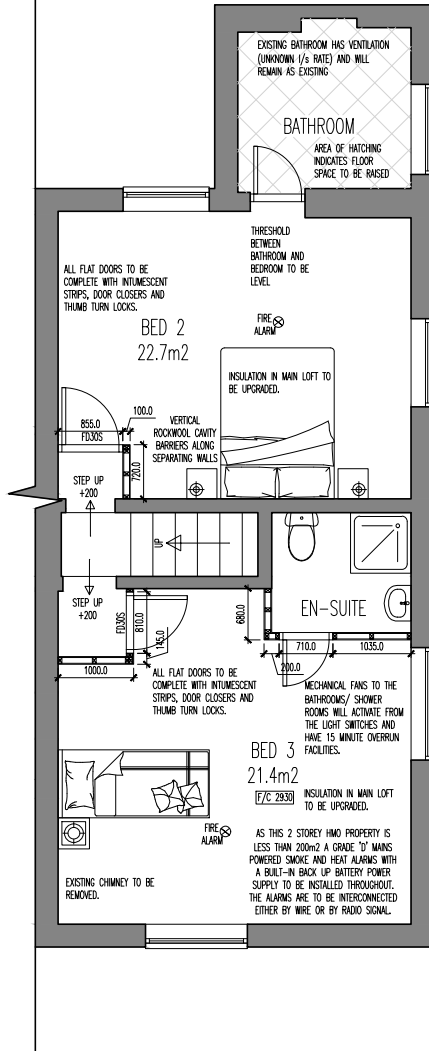
01 Proposed Basement Plan
Scale 1:50



02 Proposed Ground Floor Plan
Scale 1:50



03 Proposed First Floor Plan
Scale 1:50



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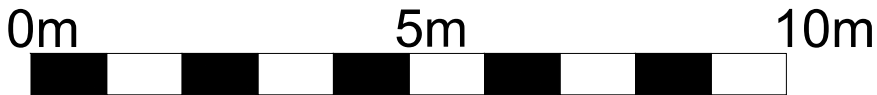
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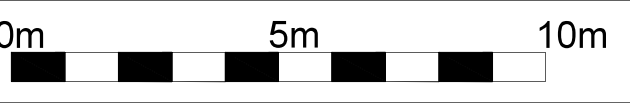
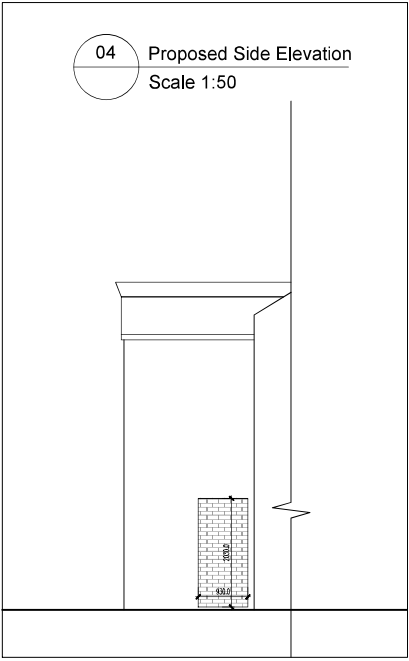
Client
Mark Houghton
89 Wood Street, Bury

Contract
Change of use of ground floor to residential and property split into 3x HMO Apartments.

Drawing
Proposed Plans

Drawing No.	TDS-25-196-04	Revision	A
Scales	1:50	Date	Feb '25
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Client Mark Houghton 89 Wood Street, Bury				
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Proposed Elevations				
Drawing No. TDS-25-196-05		Revision /		Scales
Drawn ZTT		Date Feb '25		Checked